

EXHIBIT B

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

THOMAS POWER,
Plaintiff,

Civil Division

Docket No. 2:17-CV-00154-MRH

v.

Hon. Mark R. Hornak

HEWLETT-PACKARD COMPANY,
Defendant.

**DECLARATION OF CHRISTOPHER G. BETKE IN SUPPORT OF MOTION FOR
SUMMARY JUDGMENT**

Christopher G. Betke, being duly sworn, deposes and says as follows:

1. I am over the age of eighteen (18) years and I believe in the obligations of an oath.
2. I represent the Defendant, HP, Inc., incorrectly named as Hewlett-Packard Company's ("HP"),

in the above-captioned lawsuit, and my representation of HP in this action commenced on or

about January 18, 2017.
3. I attended the November 26, 2018, deposition of David Pipho, an HP electrical hardware

engineer, and have reviewed the transcript of that deposition. Mr. Pipho testified as followed:

Q. Can you identify all warnings and instructions that were
contained on the battery pack that would have been shipped with
the at-issue notebook?

A. I cannot provide all of them, because I don't have a picture of
the at-issue --- of the battery pack that was shipped with the at-
issue notebook. However, we do have a label that states replace
with HP spares.
4. On December 28, 2020, I served on the plaintiff expert disclosures that included the Report of

Quinn Horn, PhD, P.E.
5. In that Report, Dr. Horn opined:

[I]n documents provided to end-users as well as made available to the public at-large on HP.com, HP included warnings that stated: “WARNING! To reduce potential safety issues, use only the battery provided with the computer, a replacement battery provided by HP, or a compatible battery purchased from HP.”

Finally, it is my opinion that multiple warnings to only use HP-approved battery packs were provided with the HP 8730W notebook computer as sold by HP, and that when the HP 8730W notebook computer was designed, industry standards did not prohibit the use of third-party accessories, nor require an end-user alert when a third-party battery pack was installed

Quinn Rept. at 9, 11.

6. On December 30, 2020, I served on the plaintiff Expert Disclosures that included the Report of Herman Bagga, MD. Dr. Bagga is the Medical Director of Urology at Allegheny Valley Hospital and Director of the Center for Men’s Health and Genitourinary Reconstruction at the Allegheny Health Network.
7. In that Report, Dr. Bagga opined: “the urinary incontinence issues suffered by Mr. Power are not due to damage from the burns he sustained after the explosion of his computer on June 20, 2015. This opinion is based on the fact that there has been no reported evidence of injury to the genitourinary system.” Bagga Rept. at 2-3.
8. I assisted HP in the preparation of its Responses to the Plaintiff’s Interrogatories and Requests for Production dated January 30, 2018 and the corresponding production of documents. Those documents included product documentation for the Elitebook 8730w, which included, among others, the following warning:

△WARNING: To reduce the possibility of heat-related injuries or of overheating the computer, do not place the computer directly on

your lap or obstruct the computer or vents.”

See HP000096.

Dated Friday, May 13, 2022 at Boston, Massachusetts.

/s/ Christopher G. Betke

Christopher G. Betke